

**RULES
OF
THE TENNESSEE PRIVATE INVESTIGATION AND POLYGRAPH COMMISSION
POLYGRAPH EXAMINERS RULES**

**CHAPTER 1160-2
CONTINUING EDUCATION**

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1160-2-.01 PURPOSE.

The Polygraph Examiners Act, as amended, requires completion of certain continuing education requirements as a prerequisite for renewal of a license to administer polygraph examinations. The purposes of this chapter are to prescribe the basic continuing education requirements for present and future polygraph license holders; to establish standards by which continuing education programs will be evaluated for awarding of credit; and to assure compliance with the Act by requiring periodic reporting of educational achievements.

Authority: T.C.A. §62-27-105 and Public Acts of 1988, Chapter No. 805, Sections 2-4. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989.

1160-2-.02 BASIC REQUIREMENTS.

- (1) Every licensed polygraph examiner seeking annual renewal of a license, for 1990 and thereafter, shall as a prerequisite for renewal of such license, report with the license renewal form satisfactory evidence of having completed at least twelve (12) credit hours of qualified continuing education in the subject areas of polygraph examinations, and/or related fields.
- (2) Notwithstanding paragraph (1) of this rule, no polygraph examiner shall be required to complete any credit hours of continuing education during the calendar year in which he or she first becomes licensed.

Authority: T.C.A. §62-27-105 and Public Acts of 1988, Chapter No. 805, Sections 2-4. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989.

1160-2-.03 QUALIFYING PROGRAMS.

- (1) In order to qualify for credit toward satisfaction of the requirements of rule 1160-2-.02, a continuing education program must be a formal program of learning which contributes directly to the professional competence of the licensee.
- (2) Formal programs requiring attendance may be considered for credit if:
 - (a) an outline is prepared and preserved;
 - (b) the program is at least one (1) hour (1 credit hour = 50 minute period) in length;
 - (c) the program is conducted by a qualified instructor, discussion leader, or lecturer; and
 - (d) a record of registration and attendance is maintained.

(Rule 1160-2-.03, continued)

- (3) Subject to compliance with paragraphs (1) and (2) of this rule, the following are deemed to be qualifying programs.
 - (a) professional development programs of the American Polygraph Association (APA), the Tennessee Polygraph Association (TPA), and state polygraph societies;
 - (b) technical sessions at meetings of the APA, the TPA and state polygraph societies;
 - (c) university or college courses, provided that:
 - 1. for credit courses, each semester hour credit shall equal fifteen (15) continuing education credit hours, and each quarter hour credit shall equal ten (10) continuing education credit hours;
 - 2. for non-credit short courses, continuing education credit shall equal actual time in class;
- (4) Continuing education credit shall be allowed for service as an instructor, discussion leader, or speaker at any program for which participants are eligible to receive continuing education credit. Credit for such service will be awarded on the first presentation only, unless a program has been substantially revised. The amount of credit awarded shall not exceed three times the number of class hours; provided, however, that credit hours awarded under this paragraph shall not exceed fifty percent (50%) of the total number of credit hours required by this chapter within any reporting period.
- (5) The following, but not limited to, list of topics are examples of topics that will be acceptable for continuing education credits:
 - (a) The polygraph.
 - (b) Nomenclature.
 - (c) Polygraph technique.
 - (d) The relevant and irrelevant technique.
 - (e) The zone of comparison technique.
 - (f) Modified general questions test.
 - (g) General questions test.
 - (h) Sex abuse.
 - (i) Pre-test and post-test interviewing.
 - (j) Conditioning and stimulation techniques.
 - (k) Psychology.
 - (l) Specific examinations.
 - (m) Behavioral analysis.
 - (n) Question formulation.
 - (o) State laws pertaining to the polygraph.

(Rule 1160-2-.03, continued)

- (p) Federal laws pertaining to the polygraph.
 - (q) Use of drugs and the polygraph.
 - (r) Field repair of the polygraph instrument.
 - (s) Chart marking.
 - (t) Individuals rights on the polygraph.
 - (u) The history of the polygraph.
 - (v) Factual Analysis.
 - (w) Legal aspects of the polygraph.
 - (x) Court testimony.
 - (y) Ethics.
 - (z) Business aspects.
 - (aa) Counter measures.
 - (bb) The examiner's legal liability.
 - (cc) Physiology.
- (6) Any program of continuing education not specifically covered by this rule may be submitted to the Tennessee Private Investigation and Polygraph Commission for evaluation.
- (7) The Tennessee Private Investigation and Polygraph Commission specifically reverses the right to approve or disapprove credit for continuing education claimed under this rule.

Authority: T.C.A. §62-27-105 and Public Acts of 1988, Chapter No. 805, Sections 2-4. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989. Amendment filed September 19, 2003; effective December 3, 2003.

1160-2-.04 CONTROL AND REPORTING SYSTEM.

- (1) Each licensee shall annually submit on the following form a signed statement setting forth the continuing education programs in which he has participated during the reporting period:

VERIFICATION OF CONTINUING EDUCATION

I, _____ do attest
that on _____ I attended _____ hours of
(DATE)
seminar at _____.
(PLACE)

Enclosed is a copy of my certificate and the agenda of the seminar.

(Rule 1160-2-.04, continued)

I certify that the above information is true and correct.

SIGNATURE OF EXAMINER

DATE

Such licensee shall retain documentation supporting such statement for at least two (2) years subsequent to the date of submission.

- (2) If any continuing education credit hours claimed in a statement submitted by a licensee pursuant to paragraph (1) of this rule are disapproved, the Tennessee Private Investigation and Polygraph Commission shall notify such licensee of the reason for the disapproval. The Tennessee Private Investigation and Polygraph Commission may allow a specified period of time for correction of the deficiencies noted.
- (3) The Tennessee Private Investigation and Polygraph Commission will verify information submitted by licensees under this rule on a test basis.

Authority: T.C.A. §62-27-105 and Public Acts of 1988, Chapter No. 805, Sections 2-4. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989. Amendment filed September 19, 2003; effective December 3, 2003.

1160-2-.05 EXTENSIONS OF TIME.

- (1) The Tennessee Private Investigation and Polygraph Commission may, upon written request, extend the time within which licensees must comply with the requirements of this chapter for reasons of poor health, military service, or other reasonable and just causes.
- (2) Any licensee who requests or is granted an extension of time under this rule shall remain subject to rule 1160-2-.04, and shall note such extension on any report required thereunder.

Authority: T.C.A. §62-27-105 and Public Acts of 1988, Chapter No. 805, Sections 2-4. **Administrative History:** Original rule filed November 30, 1988; effective January 14, 1989. Amendment filed September 19, 2003; effective December 3, 2003.